

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SIGHT SCIENCES, INC.,)	
)	C. A. No.: 21-1317-GBW-SRF
Plaintiff,)	
)	JURY TRIAL DEMANDED
v.)	
)	
IVANTIS, INC., ALCON RESEARCH LLC,)	
ALCON VISION, LLC AND ALCON INC.,)	
)	
Defendants.)	

**SIGHT SCIENCES, INC.'S RESPONSE TO DEFENDANTS' STATEMENT
OF FACTS REGARDING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT
NO. 4 CONCERNING OBVIOUSNESS-TYPE DOUBLE PATENTING (D.I. 299)**

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Dated: November 2, 2023

Defendants' Concise Statement of Facts in support of their Motion for Summary Judgment of Invalidity for Obviousness-Type Double Patenting ("ODP") (D.I. 299) pertains to a new, untimely, and forfeited defense as to which Defendants have deprived Sight of fact and expert discovery, and which is subject to a motion to strike (D.I. 306, 307, 324).

1. **Not disputed.**

2. **Not disputed.**

3. **Disputed in part.** Application No. 13/445,816 was filed on April 12, 2012. Sight does not dispute the remainder of paragraph 3.

4. **Not disputed.**

5. **Not disputed.**

6. **Not disputed.**

7. **Not disputed.**

8. **Not disputed.**

9. **Not disputed.**

10. **Not disputed.**

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